

COMMITTEE ON GOVERNMENT REFORM
TOM DAVIS, CHAIRMAN



NEWS RELEASE

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**DAVIS AND WAXMAN INTRODUCE INTERNET
PHARMACY CONSUMER PROTECTION ACT**

*Act to Thwart Growing Sale of Prescription Drugs
Over the Internet Without a Valid Prescription*

Washington, D.C. - House Government Reform Committee Chairman Tom Davis (R-VA) and Ranking Minority Member Henry A. Waxman (D-CA) today introduced the Internet Pharmacy Consumer Protection Act, a bill that would curb the growing sale of prescription drugs over the Internet without a valid prescription.

The Davis-Waxman legislation amends the Federal Food, Drug, and Cosmetic Act to address this problem in three steps. First, it requires Internet pharmacy websites to display information identifying the business, physician and pharmacist associated with the website, and the states where the person is authorized by law to prescribe or dispense prescription drugs.

Second, the bill prohibits a website from referring a customer to a doctor who then writes a prescription without ever seeing the patient.

Third, the bill provides states with new enforcement authority modeled on the Federal Telemarketing Sales Act that will allow a state attorney general to shut down rogue sites across the country, rather than only in his or her state.

“The illegal diversion and abuse of prescription drugs is becoming an increasingly serious problem. While I normally believe that the federal government should play a minimal role in regulating on-line commerce, this legislation is necessary because too many Americans, especially teenagers, are finding ways to gain access to potentially deadly prescription drugs without valid prescriptions. Up to this point, regulating these

Internet pharmacies has been a challenge for federal and state enforcement capabilities,” Chairman Davis said.

“This legislation will close a serious gap in consumer safeguards and government enforcement,” said Rep. Waxman. “For far too long these web sites have occupied a dark and dangerous corner of the U.S. health care system. Today we are taking a first step towards curbing this hazardous avenue for obtaining prescription drugs.”

In support of the legislation, Dr. James Thompson, President and CEO of the Federation of State Medical Boards (FSMB), stated, “It is possible to define the physician-patient relationship narrowly, solely for the purpose of enforcing a federal law regulating Internet pharmacies, without affecting the autonomy of state boards to regulate the practice of medicine.” The FSMB is a national organization comprised of the 70 medical boards of the United States, the District of Columbia, Puerto Rico, Guam and the U.S. Virgin Islands.

John Rector, General Counsel of the National Community Pharmacists Association (NCPA), said, “The legislation will help deter unlawful use of the internet and consequently, consumers are far more likely to receive lawfully prescribed prescription drugs and related pharmacists services from legitimate properly licensed pharmacies and trustworthy pharmacists.” The NCPA, founded in 1898, represents the professional and proprietary interests of the nation's community pharmacists, including the owners of 25,000 pharmacies.

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